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Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: STEPHANIE BUBENHEIM, PLANNER II *SB*
(480) 503-6625, STEPHANIE.BUBENHEIM@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *cl*
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: NOVEMBER 6, 2019

SUBJECT: A. GP19-07, MEDICAL OFFICE: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 31.13 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF FIESTA BOULEVARD AND BASELINE ROAD FROM LIGHT INDUSTRIAL TO GENERAL COMMERCIAL LAND USE CLASSIFICATION.

B. Z19-19, MEDICAL OFFICE: REQUEST TO AMEND ORDINANCE NO. 356 TO REMOVE APPROX. 3.13 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF FIESTA BOULEVARD AND BASELINE ROAD FROM THE FIESTA TECH PLANNED AREA DEVELOPMENT (PAD) OVERLAY ZONING DISTRICT AND TO REZONE SAID REAL PROPERTY FROM LIGHT INDUSTRIAL (LI) ZONING DISTRICT WITH A PAD TO GENERAL COMMERCIAL (GC) ZONING DISTRICT.

STRATEGIC INITIATIVE: Exceptional Built Environment

Rezone to allow medical office uses within an existing office building.

RECOMMENDED MOTION

- A. Move to recommend to Town Council approval of GP19-07, a Minor General Plan Amendment; and
- B. For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z19-19, as requested, subject to the conditions listed in the staff report.

APPLICANT

Company: Withey Morris, PLC
Name: Adam Baugh
Address: 2525 E. Arizona Biltmore Circle, A-212
Phoenix, AZ 85016
Phone: 602-230-0600
Email: adam@witheymorris.com

OWNER

Company: Preston Management LLC
Name: J Michael Doyle
Address: 2944 N. 44th St. Ste. 200
Phoenix, AZ 85018
Phone: 650-814-3999
Email: jmdoyle2020@gmail.com

BACKGROUND/DISCUSSION

History

Date	Description
<i>September 25, 1979</i>	Subject site was annexed into the town under Ordinance No. 253 part of 320 acres on the southeast corner of Arizona Avenue and Baseline Road
<i>November 15, 1979</i>	Planning and Zoning Commission recommended approval to Town Council of the Northwest Area Master Plan (Z79-32) zoned (I-2) Garden Industry with a PAD overlay for the parcels.
<i>February 15, 1983</i>	Town Council approved the final plat for Fiesta Tech Centre
<i>November 29, 1983</i>	Town Council adopted Ordinance No. 356 under case Z83-16 creating the Fiesta Tech PAD
<i>June 12, 1997</i>	Design Review Board approved DR97-35 for a 26,000 sq. ft. office building on the subject site.

Overview

The applicant requests a minor General Plan amendment and rezoning on an existing developed site from Light Industrial with a PAD overlay to conventional General Commercial zoning. The request would allow medical office uses within an existing 26,000 sq. ft. office building within the Fiesta Tech area. The site is located at 1580 N. Fiesta Boulevard at the southwest corner of Fiesta Boulevard and Baseline Road. The site has a right in/right out and a full motion entrance along Fiesta Tech Boulevard with an additional full motion entrance along Tech Boulevard.

The proposed minor General Plan and rezoning request does not include any exterior modifications to the existing site; only interior tenant improvements are proposed at this time. The site has current occupied tenants. The medical office will be utilizing a portion of the building.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	City of Mesa	City of Mesa Light Industrial (LI)	Baseline Road, then Walmart Supercenter
South	Light Industrial	Light Industrial (LI) PAD	Office Building
East	Light Industrial	Light Industrial (LI) PAD	Insurance Company
West	General Commercial	General Commercial (GC) PAD	Monterey Tile and Berge Mazda Dealership
Site	Light Industrial	Light Industrial (LI) PAD	Office Building

General Plan

The existing land use classification is Light Industrial. In order to allow medical office uses within the existing building, the applicant is seeking a minor General Plan amendment to General Commercial. This request is consistent with the surrounding area with General Commercial land use classification to the west. The proposed minor General Plan amendment supports the goals and policies of the Town of Gilbert General Plan's Economic Development chapter as follows:

9.3 Economic Development Goals and Policies

- **Goal 9.3.1.-**Attract high-wage jobs for Gilbert residents while diversifying the local economy through the attraction, retention and growth of targeted industries.
 - The site is located within the northwest area, one of the largest employment areas in the town and the medical office user is proposing to locate in an existing building. The proposed request to fill existing space will revitalize the building to capacity and retain employment in this key area of town. This will further increase medical employment, a targeted industry that economic development strives to increase.

Rezoning

The site is part of the Fiesta Tech Planned Area Development, an employment area comprised of Light Industrial (LI), General Commercial (GC), and Multi-Family/Medium (MF/M) zoning districts within the northwest area of Gilbert. The existing site was developed in 1997 as a multi-tenant office building for employment uses. The surrounding properties to the east and south are zoned Light Industrial and have existing office buildings for employment uses. The applicant is seeking to rezone the property from Light Industrial PAD to conventional General Commercial zoning to allow medical office uses within the existing building.

The site is meeting parking requirements as outlined in the Project Narrative; the proposed medical office will use a portion of the building and other existing tenants will remain. Staff feels the proposed use is compatible with the other office uses in the surrounding area and the General Commercial zoning district is compatible with the area with General Commercial zoned property located west and southwest of the subject site.

The applicant is requesting conventional zoning and is not requesting any PAD deviations as this is an existing developed site. The building was constructed at 0' on the west property line adjacent to General Commercial. The building will still be non-conforming under the General Commercial

zoning district and development standards. If the building is modified or expanded in the future, the new addition must meet the General Commercial development standards.

Project Data Table

Site Development Regulations	Required per LDC for Light Industrial and Ordinance No. 365	Proposed General Commercial
Maximum Height (ft.)/Stories	55'	45'
Minimum Building Setbacks (ft.)		
Front	25'	25'
Side (Street)	20'	20'
Rear (Nonresidential)	15'	20' required / 0' existing
Minimum Landscape Setbacks (ft.)		
Front	25'	25'
Side (Street)	20'	20'
Rear (Nonresidential)	5'	20' required / 0' existing
Landscaping (% of net lot area)	15%	32%
Parking	130 required spaces	132 existing spaces

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on July 3, 2019 at McQueen Park Activity Center. No residents attended the meeting. Staff has not received comment from the public.

SCHOOL DISTRICT

Efforts are being coordinated with the Gilbert Public School District throughout the entitlement process to ensure the adequate educational facilities are maintained for the neighborhood.

PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

REASONS FOR THE RECOMMENDATION

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.

3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town's strategic initiative for Community Livability. It supports the motto "Gilbert: Clean, Safe, Vibrant."

STAFF RECOMMENDATION

- A. Recommend to the Town Council approval of GP19-07, to change the land use classification of approx. 3.13 acres, generally located at the southwest corner of Fiesta Boulevard and Baseline Road from Light Industrial (LI) to General Commercial (GC) land use classification; and
- B. For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z19-19, rezoning approx. 3.13 acres within the Fiesta Tech Planned Area Development (PAD) and generally located at the southwest corner of Fiesta Boulevard and Baseline Road from approx. 3.13 acres of Light Industrial (LI) zoning district with a Planned Area Development (PAD) overlay to approx. 3.13 acres of General Commercial (GC) zoning district with a Planned Area Development (PAD) overlay, subject to the following conditions:
 - a. Dedication to Mesa for Baseline Road rights-of-way that are adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Failure to complete dedication prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification.
 - b. Dedication of Baseline Road to City of Mesa shall extend 65 feet from the monument line or as otherwise determined by the City of Mesa.
 - c. Construction of off-site improvements to Fiesta Boulevard adjacent to the Property required by Gilbert shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property, or at the time requested by Gilbert, whichever is earlier.
 - d. Construction of off-site improvements to Baseline Road adjacent to the Property as required by the City of Mesa. Said improvements to Baseline Road shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property, unless at a later time is approved by the Mesa City Engineer.
 - e. Should the Property include any landscaping, open space, private street, utilities or other facilities held in common ownership (collectively "common areas") as described in Article 4.9 of the Land Development Code, Developer shall create a Property

Owner's Association (POA) at the time of final plat recordation or earlier if required by the Town Engineer for the maintenance and operation of said common areas.

Respectfully submitted,

Stephanie Bubenheim
Planner II

Attachments and Enclosures:

- 1) Notice of Public Hearing
- 2) Aerial Photo
- 3) Land Use Exhibit
- 4) Zoning Exhibit
- 5) Legal Description

Notice of Public Hearing

GP19-07 / Z19-19 Medical Office
Attachment 1: Notice of Public Hearing
November 6, 2019

PLANNING COMMISSION DATE:
TOWN COUNCIL DATE:

Wednesday, November 6, 2019* TIME: 6:00 PM
Thursday, December 5, 2019* TIME: 6:30 PM

**LOCATION: Gilbert Municipal Center
Council Chambers
50 E. Civic Center Drive
Gilbert, Arizona 85296**

* Call Planning Department to verify date and time: (480) 503-6625

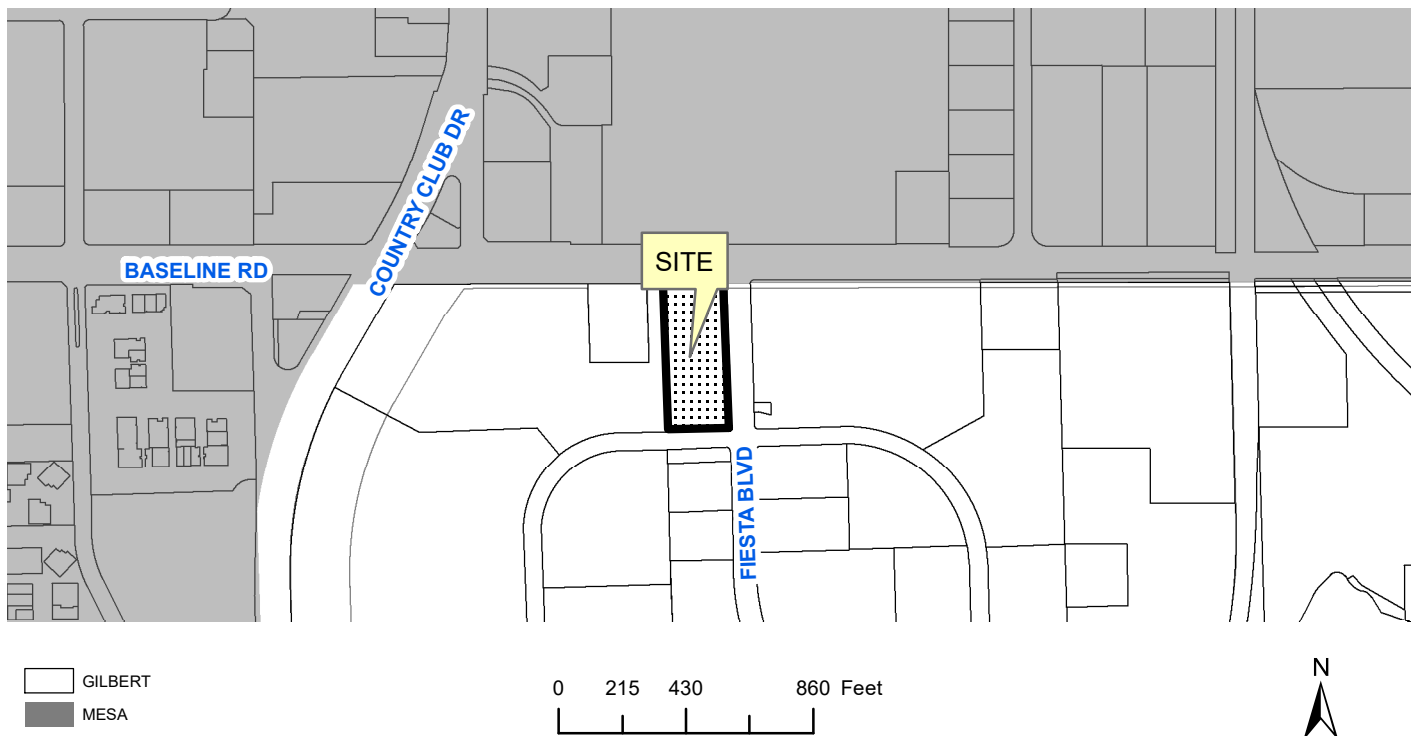
* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <https://www.gilbertaz.gov/departments/development-services/planning/planning-commission> and <https://www.gilbertdocs.com/gilbertagendaonline>

REQUESTED ACTION:

GP19-07: Request for Minor General Plan Amendment to change the land use classification of approx. 3.13 acres generally located at the southwest corner of Fiesta Boulevard and Baseline Road from Light Industrial to General Commercial. The effect of this amendment will be to allow medical office uses within an existing office building.

Z19-19: Request to amend Ordinance No. 356 to remove approx. 3.13 acres generally located at the southwest corner of Fiesta Boulevard and Baseline Road from the Fiesta Tech Planned Area Development overlay zoning district (PAD) and to rezone said real property from Light Industrial (LI) zoning district with a PAD to General Commercial (GC) zoning district, as shown on the exhibit available for viewing in the Planning Services Division. The effect will be to allow uses permitted within the General Commercial (GC) zoning district as set forth in the Land Development Code and permit medical office uses within an existing office building.

SITE LOCATION:



APPLICANT: Withey Morris PLC
CONTACT: Adam Baugh
ADDRESS: 2525 E Arizona Biltmore Circle, A-212
Phoenix, AZ 85016

TELEPHONE: (602) 230-0600
E-MAIL: adam@witheymorris.com

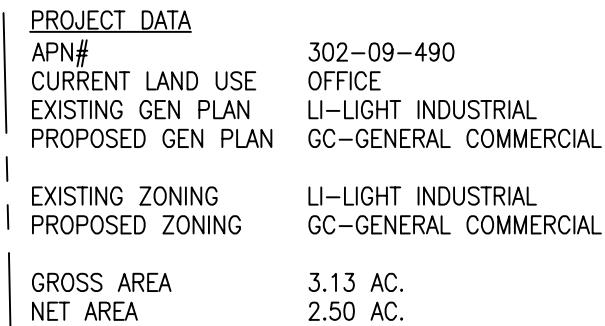
Parcel Aerial Map
1580 N. Fiesta Blvd.

GP19-07 / Z19-19 Medical Office
Attachment 2: Aerial Photo
November 6, 2019

APN: 302-09-490



Dated: August 6, 2019

[illegible]

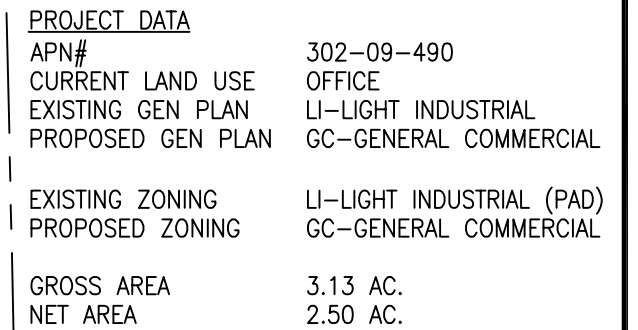
Date 10-30-19
Scale 1"=60'
Design HXE
Drawn TDS
Checked SB
Job Number: 434

SUBJECT PARCEL
 OWNER: PRESTON MANAGEMENT LLC
 PROPOSED ZONING: GENERAL COMMERCIAL
 APN: 302-09-490
 GROSS ACRES 3.13 +/-
 NET ACRES 2.50 +/-

GENERAL COMMERCIAL PAD
LIGHT INDUSTRIAL PAD
LIGHT INDUSTRIAL PAD

N. TECH BLVD
N. FIESTA BOULEVARD
W. BASELINE ROAD

65' R/W
 CITY OF MESA
 65.02'
 55.02'
 10'
 N88°46'03"E 206.41'
 N88°46'03"E 258.10'
 55' R/W
 65.02'
 FOUND TOWN OF GILBERT
 BRASS CAP FLUSH
 NW COR. NE1/4 NW1/4
 FND MONUMENT
 30.00'
 N87°11'18"E 206.00'
 258.00'
 30'
 R/W
 N02°48'42"W 531.89'
 501.09'
 N02°48'42"W 482.41'
 524.86'
 40'
 R/W



Date 10-29-19
Scale 1"=60'
Design HXE
Drawn TDS
Checked SB
Job Number: 434

DESCRIPTION

OF PARCEL TO BE REZONED

A PORTION OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3-INCH CITY OF MESA BRASS CAP IN HANDHOLE MARKING THE INTERSECTION OF W. BASELINE ROAD AND N. FIESTA BOULEVARD FROM WHICH A 3-INCH BRASS CAP FLUSH STAMPED LS 42014 2018 MARKING THE INTERSECTION OF N. FIESTA BOULEVARD AND N. TECH BOULEVARD BEARS SOUTH 02 DEGREES 48 MINUTES 42 SECONDS EAST 589.89 FEET, SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE SOUTH 02 DEGREES 48 MINUTES 42 SECONDS EAST 65.02 FEET ALONG THE MONUMENT LINE OF SAID N. FIESTA BOULEVARD TO THE SOUTH LINE OF THE NORTH 65.00 FEET OF SAID NORTHWEST QUARTER AND THE POINT OF BEGINNING;

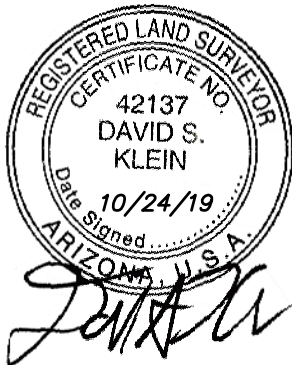
THENCE SOUTH 02 DEGREES 48 MINUTES 42 SECONDS EAST 524.86 FEET ALONG THE MONUMENT LINE OF SAID N. FIESTA BOULEVARD TO SAID INTERSECTION OF N. FIESTA BOULEVARD AND N. TECH BOULEVARD;

THENCE SOUTH 87 DEGREES 12 MINUTES 27 SECONDS WEST 258.00 FEET ALONG THE MONUMENT LINE OF SAID N. TECH BOULEVARD TO THE WEST LINE OF LOTS 28, 29 AND 30 OF FIESTA TECH CENTRE, RECORDED IN BOOK 256 OF MAPS, PAGE 40, MARICOPA COUNTY RECORDS.

THENCE NORTH 02 DEGREES 48 MINUTES 42 SECONDS WEST 531.89 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF THE NORTH 65.00 FEET OF SAID NORTHWEST QUARTER;

THENCE NORTH 88 DEGREES 46 MINUTES 03 SECONDS EAST 258.10 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

COMPRISING OF 3.13 ACRES MORE OF LESS, SUBJECT TO ANY EASEMENT OF RECORD.



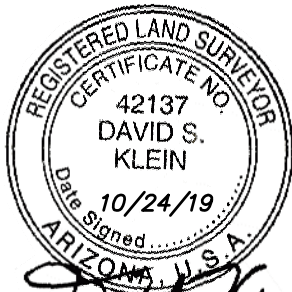
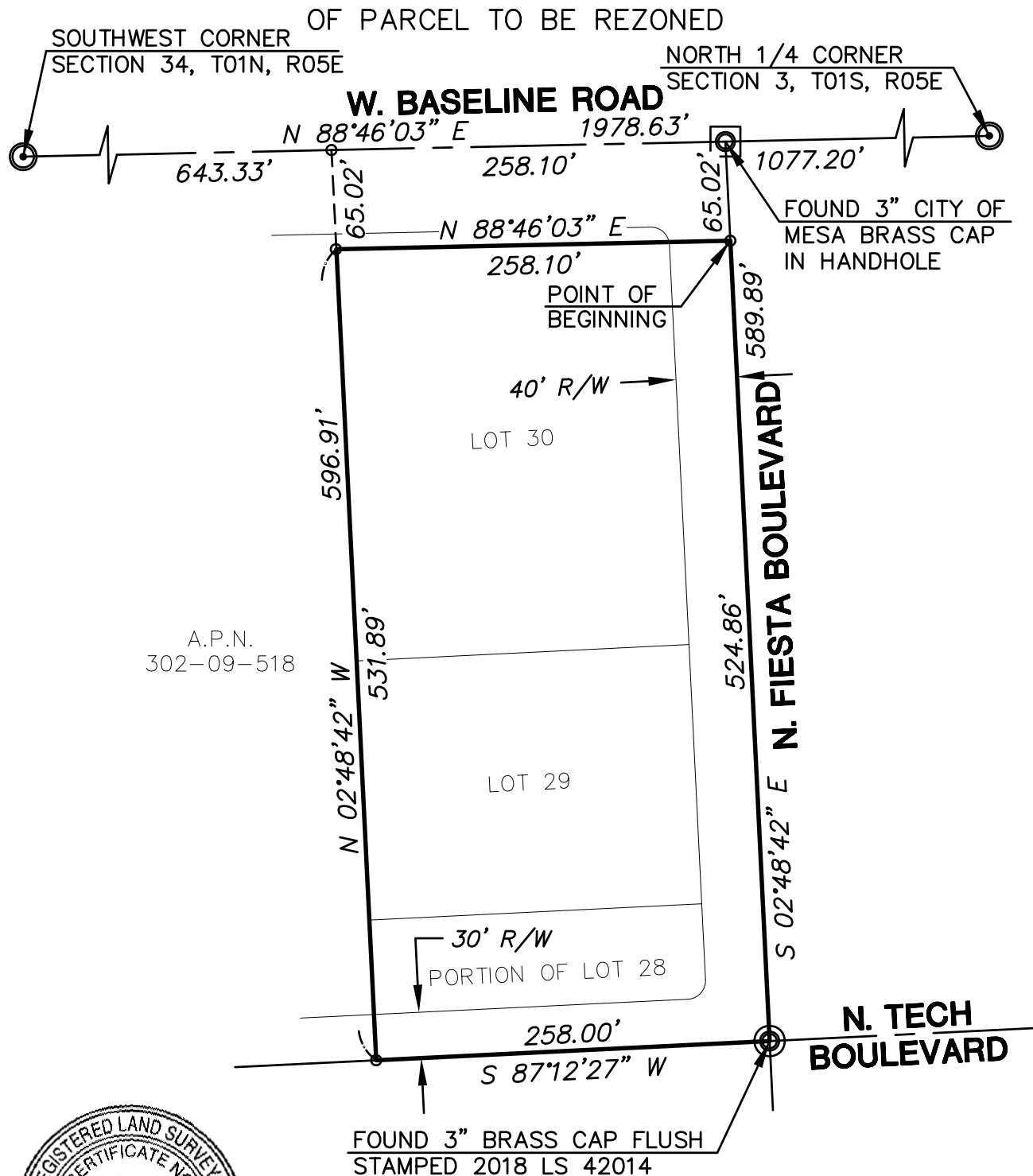

SUPERIOR
SURVEYING SERVICES, INC.

2122 W. Lone Cactus Dr.
Ste. 11, Phoenix, AZ 85027
623-869-0223 (office)
623-869-0726 (fax)
www.superiorsurveying.com
info@superiorsurveying.com

DATE: 10/24/19

JOB NO.: 190784

EXHIBIT



SUPERIOR
SURVEYING SERVICES, INC.

2122 W. Lone Cactus Dr.
Ste. 11, Phoenix, AZ 85027
623-869-0223 (office)
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